

10/519931

UTILITY PATENT

**DECLARATION AND POWER OF ATTORNEY**  
**(Sole or Joint)**

ATTORNEY'S  
DOCKET NO.  
441/1019

OR DESIGN

As a below named inventor, I declare that I believe I am the original, first and sole inventor if only one name is listed at Item 201 below, or a joint inventor if plural names are listed below at Items 201 et seq., of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**NOVEL FUNCTIONAL PEPTIDE NUCLEIC ACID AND PROCESS FOR PRODUCING THE SAME**

which is described and claimed in

the attached specification

the specification in application Serial No. \_\_\_\_\_ filed  
(for declaration not accompanying application papers)

and (if applicable) amended on \_\_\_\_\_.

international (PCT) application No. PCT/JP2004/005392 filed APRIL 15, 2004 and  
as amended on \_\_\_\_\_ (if any).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to patentability as defined in Title 37, Code of Federal Regulations, '1.56.

I hereby claim the benefit of priority, under Title 35, United States Code, '119, of any foreign application(s) for patent or inventor's certificate listed in Item 103 below and have also identified in Item 103 below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application for which priority is claimed.

I hereby claim the benefit, under Title 35, United States Code, '120, of any U.S. application(s) listed in Item 105 below. If this application is a continuation-in-part, insofar as the subject matter of any of the claims thereof is not disclosed in the prior U.S. application(s) identified in Item 105 below in the manner provided by the first paragraph of Title 35, United States Code, '112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, '1.56 which became available between the filing date of the prior U.S. application(s) identified in Item 105 below and the national or PCT international filing date of this application.

FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 (6 if a Design) MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. '119
<u>JAPAN</u>	<u>2003-144152</u>	<u>15-04-2003</u>	YES <input checked="" type="checkbox"/> NO
_____	_____	_____	YES _____ NO

Rec'd PCT/PTO 30 DEC 2004

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ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 (6 if a Design) MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)
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THIS APPLICATION IS A :

CONTINUATION  CONTINUATION-IN-PART  DIVISION-  
OF PRIOR U.S. APPLICATION SERIAL NO.  FILED

WHICH IS NOW  ABANDONED  PENDING  PATENTED

POWER OF ATTORNEY: As a named inventor, I hereby appoint RICHARD M. GOLDBERG, ESQ., Registration Number 28,215 and ARTHUR JACOB, ESQ., Registration Number 19,702, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence and telephone inquiries be sent to Richard M. Goldberg, Esq., 25 East Salem Street, Suite 419, Hackensack, New Jersey 07601, (201) 343-7775.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF FIRST INVENTOR: M. Tonomaki

DATE: 11/27, 2004

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SECOND INVENTOR

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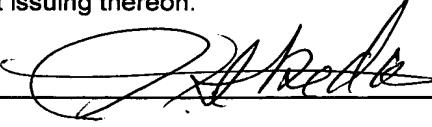
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF SECOND INVENTOR: 

DATE: 11/27, 2004